

AFTER FINAL  
EXPEDITED HANDLING REQUESTED  
PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gustavo M. GONZALEZ

Examiner: Mruk, B.

Application No.: 09/945,053

Group Art Unit: 1751

Filed: August 31, 2001

For: CLEANING COMPOSITIONS FOR REMOVING ORGANIC  
DEPOSITS IN HARD TO REACH SURFACES

Atty. Docket No.: 3919.003

Customer number: 000041288

DECLARATION UNDER 37 C.F.R. §1.132

MAIL STOP AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Gustavo Gonzalez, 18061 S.W. 18<sup>th</sup> Street, Miramar, Florida 33029, declare and state the following:

I have been involved in research and development relating to cleaning compositions, since 1996, and consider myself an expert in this field.

I am familiar with the subject matter and prosecution history of the above-identified application, including the Office Action dated October 22, 2003.

I note the Examiner's anticipation rejection of Claims 1-9 under 35 U.S.C. 102(b) in view of U.S. Patent No. 4,808,330 to Chung.

U.S. Patent Application No. 09/954,053  
DECLARATION UNDER 37 C.F.R. §1.132

Attorney Docket: 3919.003

I note the Examiner's position in the Office Action that the composition of the Chung reference contains an inorganic salt in crystalline form.

I have conducted the following comparative experimentation to demonstrate that the composition of the Chung reference does not contain 40-70% of an inorganic salt in crystalline form.

The following experimentation was conducted under my direct supervision.

PROCEDURE

Step 1 Preparation of samples: Three samples were prepared, Samples A, B, and C.

Sample A (composition of the present invention according to Example 1)

(% weight)	(Ingredient)
47.0 %	Isopropyl Alcohol
37.0%	Sodium Chloride
13.0%	Deionized water
1.5%	Fragrance
1.5%	Dye

The composition was prepared by combining the organic solvent, the water, the fragrance, and dye with stirring until well blended.

Then the finely divided salt crystals were slowly added, and again stirred to allow a small amount of the salt to dissolve into the solution. After preparation, the composition remained stable.

Sample B (composition of the Chung reference using lower concentration limits of each ingredient as indicated in Claim 1 and columns 2 and 3)

(% weight)	(Ingredient)
15.0%	sodium chloride
67.0 %	water

U.S. Patent Application No. 09/954,053  
DECLARATION UNDER 37 C.F.R. §1.132

Attorney Docket: 3919.003

10.0%	ethanol
8.0%	coconut oil

1. The water was weighed out into a beaker.
2. The sodium chloride was then weighed and added to the water while mixing. This resulted in a saturated solution in which all the salt did not go into solution but settled to the bottom.
3. In a separate beaker, the ethanol was weighed out. Then the coconut oil was weighed out and added to the ethanol and mixed for 30 minutes.

It was observed that the coconut oil separated from the ethanol producing two immiscible phases. Thus, a homogeneous formulation could not be obtained.

4. The water and salt solution was added to the alcohol solution while mixing. Mixing continued for 1 hour-

When mixing was stopped upon settling, the product separated into 2 distinct layers. This did not give one uniform solution.

Sample C (composition of the Chung reference using upper concentration limits of each ingredient as indicated in Claim 1 and columns 2 and 3)

(% weight)	(Ingredient)
30.0%	sodium chloride
10.0 %	water
35.0%	ethanol
25.0%	coconut oil

1. The water was weighed out into a beaker.

U.S. Patent Application No. 09/954,053  
DECLARATION UNDER 37 C.F.R. §1.132

Attorney Docket: 3919.003

2. The sodium chloride was then weighed and added to the water while mixing. This resulted in a clear solution.

3. In a separate beaker, the ethanol was weighed out. Then the coconut oil was weighed out and added to the ethanol. This was mixed for 30 minutes but did not solubilize. This resulted in 2 separate layers.

4. The water and salt solution were added to the alcohol solution while mixing. Mixing continued for 1 hour-

When mixing was stopped upon settling, the product separated into 3 distinct layers; the bottom layer being the salt. . Thus, a homogeneous formulation could not be obtained.

Step 2 Total amount of crystals precipitate

Sample	% of crystal
A	49.9 %
B	0.0%
C	29.9%

CONCLUSION

As can be seen from the results of the test, the formulation of the present invention shows a remarkable amount of crystal in the composition than the two tested compositions of the Chung reference.

This remarkable amount of crystalline salt imparts a mechanical cleaning effect and supplements the chemical effects of the alcohol and brine. The combination of the alcohol, brine, and high presence of crystalline salt produces an unexpectedly rapid and superior de-

U.S. Patent Application No. 09/954,053  
DECLARATION UNDER 37 C.F.R. §1.132

Attorney Docket: 3919.003

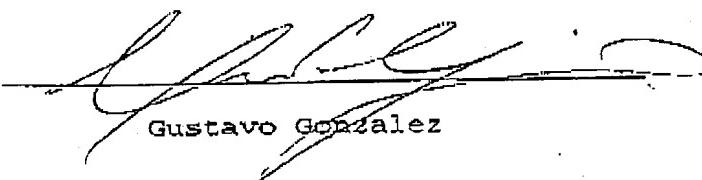
scaling and disinfecting of the internal surfaces of a device to be cleaned, and can produce excellent results in as little as 20 seconds, and usually in less than one minute.

The inventor found to be an advantageous property of the composition of the present invention that the salt, which serves as a mechanical abrasive, does not clog the interior surfaces of the substrate; this being due to the water solubility of the salt resulting in the complete removal of any residual salt during the final step of rinsing the substrate after cleaning.

Furthermore, the undersigned notes that neither one of the tested compositions of the Chung reference provides a homogenous solution.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date: 02/23/04



Gustavo Gonzalez